

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 91-123

AMENDING ORDER 89-160, SITE CLEANUP REQUIREMENTS FOR:

TECHNICAL COATINGS COMPANY AND
BENJAMIN MOORE & COMPANY

FOR THE PROPERTY LOCATED AT:

1000 WALSH AVENUE
SANTA CLARA, SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. The Board adopted site cleanup requirements for this site on September 20, 1989 and discharge requirements (NPDES) on March 20, 1991.
2. The dischargers have been diligent in complying with requirements of both existing Orders.
3. The dischargers will not be able to submit the technical report documenting the implementation of interim remedial actions for soils by August 31, 1991 as required. The interim remedial actions include implementation of a soil-vapor extraction system which has not yet been constructed. A vapor-extraction pilot program was conducted in early 1989, and final design plans for a full-scale vapor-extraction system were submitted to the Board early in 1991.
4. The vapor-extraction system, not yet constructed, requires: (1) the conversion of 9 existing wells to vapor extraction wells, (2) the installation of 5 or more new vapor extraction wells, (3) the installation of piping for all extraction wells and a blower, and a vapor treatment unit, and (4) pre-operational testing of the complete extraction system, before the required interim remedial actions for soils can be implemented.
5. The dischargers requested an 18-month delay in implementing remedial actions for soils. The Board indicated that an 18-month delay was not acceptable, and the dischargers submitted another request, for a 12-month delay. The dischargers are required to make major expenditures in time and money in 1991 to close an onsite evaporation pond, and propose scheduling additional major expenditures, as would be required to implement remedial actions for soils, for another time such as 1992.

6. The dischargers propose extending the due date for completion of Task f. under Provision C.1. of Site Cleanup Order No. 89-160, from August 31, 1991 to August 31, 1992. The Board, considering the specific circumstances involved, finds this request to be reasonable.

Extending the date for Task f. leads to extending due dates for related Tasks g. and h.: from January 31, 1992 to January 31, 1993, and from April 30, 1992 to April 30, 1993, respectively.

7. The Board, in public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that the dischargers, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

1. Provision 1 shall be revised to read as follows:

- f. TASK: COMPLETE IMPLEMENTATION OF INTERIM REMEDIAL ACTIONS FOR SOIL POLLUTION

COMPLETION DATE: August 31, 1992

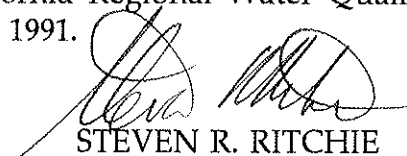
- g. TASK: EVALUATE INTERIM REMEDIAL ACTIONS FOR SOILS

COMPLETION DATE: January 31, 1993

- h. TASK: PROPOSE FINAL CLEANUP OBJECTIVES AND ACTIONS

COMPLETION DATE: April 30, 1993

I, Steven R. Ritchie, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on August 21, 1991.


STEVEN R. RITCHIE
Executive Officer